

REMARKS

Claims 1-19 are pending. Claim 1 has been amended. No new matter has been added.

Claims 1-19 are rejected. Claims 1-2, 6-7, and 9-14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2002/0165815 to Vincent (“Vincent”). Claims 3-5, 8, and 15-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Vincent.

Rejection of Claims 1-2, 6-7, and 9-14 under 35 U.S.C. § 102(b)

Claims 1-2, 6-7, and 9-14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Vincent.

On page 2 of the Final Office Action, the “Examiner respectfully submits that Vincent in fact teaches ‘wherein the first submission is directed to a second party and includes an identifier associated with the first submission’, as follows, the first submission is the request for bids (fig. 5), and is directed to a second party (publisher-subscriber environment), and has an identifier associated with it (GUIDs). Furthermore, the second party, seller, replies (response) to the request with specifications (fig. 6) where in the notification provides information for securely accessing the response (it contains a digital signature).”

Vincent does not disclose “sending a notification to the first party, wherein the notification provides information for securely accessing the response” and “permitting the first party to securely access the response from the second party, wherein the first party cannot access the stored response until the first party is authenticated via the notification to the first party,” as recited in amended claim 1. As described in an exemplary embodiment in the specification, once a second party receives a submission (such as an application) from a first party, the first party receives an e-mail with a hyperlink. *See, e.g.*, page 6, line 19 - page 7, line 5. The e-mail can represent a notification. The purpose of the notification is to provide information for the first party to securely access the second party’s response. The first party must click the hyperlink and/or follow any other authentication instructions in order to securely access the second party’s response.

In contrast, Vincent does not send a notification for requiring authentication before the first party can access the second party’s response. On page 3 of the Office Action, the Examiner asserts that Vincent recites this feature in paragraph [0071], but this citation discusses the use of

an identification number for each message so that a message can be tracked regardless of the name of the message. But Vincent fails to disclose sending a notification to the first party. Vincent recites that a seller responds to a purchaser's request, but does not first send a notification providing information for securely accessing the response. *See Para. [0036]* ("A seller responds to the statement of interest by providing information 312 about that seller's goods or service that relate to the goods or service specified in the statement of interest 310."). Additionally, Vincent does not disclose that the first party (purchaser) cannot access the stored response of the second party (seller) until the first party has been authenticated via the notification to the first party.

Therefore, Vincent fails to disclose each and every element of claim 1. Because claim 1 is believed to be allowable, claims 2, 6-7, and 9-14 are also believed to be allowable as they depend on claim 1. Accordingly, the undersigned representative respectfully requests that the Examiner withdraw the rejection of claims 1-2, 6-7, and 9-14.

Rejection of Claims 3-5, 8, and 15-19 under 35 U.S.C. § 103(a)

Claims 3-5, 8, and 15-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Vincent. This rejection is respectfully traversed. For at least the reasons set forth above with respect to claim 1, Vincent does not establish a prima facie case of obviousness with respect to claims 3-5, 8, and 15-19 because Vincent fails to disclose each and every element of independent claim 1. Therefore, the undersigned representative respectfully requests that the Examiner withdraw the rejection of claims 3-5, 8, and 15-19.

CONCLUSION

The undersigned representative respectfully submits that this application is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that the prosecution might be advanced by discussing the application with the undersigned representative, in person or over the telephone, we welcome the opportunity to do so. In addition, if any additional fees are required in connection with the filling of this response, the Commissioner is hereby authorized to charge the same to Deposit Account 110980.

Respectfully submitted,

Date: October 1, 2009
KING & SPALDING LLP
1700 Pennsylvania Ave., NW
Suite 200
Washington, DC 20006
(202) 626-8980

By: /Eric L. Sophir, Reg. No. 48,499/
Eric L. Sophir
Registration No. 48,499